

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JEFFERY WUMMEL,

Plaintiff,

CASE NO. 10-12997

v.

HON. MARIANNE O. BATTANI

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

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**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION  
AND GRANTING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT  
AND DENYING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT**

Plaintiff Jeffery Wummel brings this action challenging the final decision of the Defendant Commissioner denying his application for Disability Insurance Benefits under the Social Security Act. The case was referred to Magistrate Judge R. Steven Whalen pursuant to 28 U.S.C. § 636(b)(1). (Doc. 3). Both parties filed dispositive motions, and in a Report and Recommendation ("R&R") dated July 18, 2011, Magistrate Judge Whalen recommended that the Court grant Defendant's Motion for Summary Judgment (Doc. 12) and deny Plaintiff's Motion for Summary Judgment (Doc. 11).

In the Report and Recommendation, the Magistrate Judge informed the parties that objections to the R&R needed to be filed within "fourteen (14) days of service" and that a party's failure to file objections would waive any further right of appeal. (Doc. 13 at 11). Neither party filed an objection.

Because no objection has been filed in this case, the parties waived their right to de novo review and appeal. Accordingly, the Court **ADOPTS** the Magistrate Judge's recommendation (Doc. 13), **GRANTS** Defendant's Motion for Summary Judgment

(Doc. 12) and **DENIES** Plaintiff's Motion for Summary Judgment (Doc. 11). Plaintiff's Complaint is **DISMISSED** in its entirety.

**IT IS SO ORDERED.**

s/Marianne O. Battani  
MARIANNE O. BATTANI  
UNITED STATES DISTRICT JUDGE

DATE: August 10, 2011

CERTIFICATE OF SERVICE

I hereby certify that on the above date a copy of this Order was served upon all parties of record, via the Court's ECF System.

s/Bernadette M. Thebolt  
Case Manager